201904050016

04/05/2019 10:34 AM Pages: 1 of 57 Fees: \$155.00 Skagit County Auditor

After Recording Return to: City of Mount Vernon 910 Cleveland Ave. Mount Vernon, WA 98273

Document Title:Agreement for Planned Unit DevelopmentGrantor(s):Montreaux Inc, a Washington CorporationGrantee:City of Mount Vernon, a Municipal CorporationAbbreviated Legal Description:That portion of Tract D of City of Mount Vernon Short Plat No.
MV-20-81 approved October 27, 1981Full Legal Description:Full legal description of subject property is legally described in
Exhibit "A"Assessor's Tax Parcel No:P27545

AGREEMENT for MONTREAUX II PLANNED UNIT DEVELOPMENT (PUD)

THIS AGREEMENT effective as of <u>April 5</u>, 2019 is between the CITY OF MOUNT VERNON, a municipal corporation, hereinafter referred to as "City" and MONTREAUX, LLC (governed by H. Lee Johnson), hereinafter referred to as "Developer". This Agreement contains the minimum requirements for roads, landscaping, fencing, parks, open spaces, and the construction of future residential structures within the Planned Unit Development named Montreaux II that are required to be complied with per Mount Vernon Municipal Code (MVMC) Chapter 17.69, Planned Unit Developments (PUD).

RECITALS:

- 1. Developer is the legal owner of that certain property located in the City of Mount Vernon, Skagit County, WA described in **Exhibit A**, attached hereto and by reference incorporated herein and hereinafter referred to as "the Property".
- 2. Developer has requested final plat and final PUD approval of the Property. The Property was granted preliminary plat and preliminary PUD approvals via Resolution 711.
- 3. The Mount Vernon Municipal Code (MVMC) identifies PUDs as overlay zones permitting the development of land that deviates from prescriptive zoning and subdivision standards.
- 4. Historically Developers would record PUD requirements on their final plat maps. However, due to reluctance of surveyors to stamp maps containing PUD requirements and restrictions on recording maps with certain hatching and shading the City has determined a PUD Agreement can be created, executed, and cross-referenced on the face of the final plat map to achieve the same goal of ensuring the PUD property is developed consistent with its preliminary PUD requirements and to notify future lot owners of the PUD requirements.
- 5. The request for final plat and final PUD approval of the property has been approved by the Mount Vernon City Council at its regular meeting on March 13, 2019 with Resolution 961, subject to certain limitations as set forth below.

NOW THEREFORE, with the Developer being in agreement to the conditions, and in consideration of the final plat and final PUD and the conditions hereinafter set forth, the City and Developer agree as follows:

AGREEMENT:

- 1. The Developer agrees to each of the following PUD requirements:
 - A. The Tracts and Easements shown in **Exhibit B**, attached hereto and by reference incorporated herein, shall be developed and kept in perpetuity as shown. Developer also agrees to complete monitoring, maintenance, repair and replacement, if and when necessary, to these areas to keep them as shown in **Exhibit B**.

- C. The Park, Open Space, and Private Road Tracts shown in **Exhibit C**, attached hereto and by reference incorporated herein, shall be developed and kept in perpetuity as shown. Developer also agrees to complete monitoring, maintenance, repair and replacement, if and when necessary, to these areas to keep them as shown in **Exhibit C**.
- D. The Forested Buffer Tracts shown in **Exhibit D**, attached hereto and by reference incorporated herein, shall be developed and kept in perpetuity as shown. Developer also agrees to complete monitoring, maintenance, repair and replacement, if and when necessary, to these areas to keep them as shown in **Exhibit D**.
- E. The residential structures to be built on future Lots 1 through 41 shall be required to comply with the Design Review requirements shown and described in **Exhibit E**, attached hereto and by reference incorporated herein.
- 2. Developer agrees that this Agreement shall run with the land and that the obligations of the Developer shall inure to the benefit of and shall be binding upon their heirs, successors and assigns of the Property described in **Exhibit A**.
- 3. Owner covenants that they own the property legally described herein and has lawful right to enter into this Agreement and to bind future lot owners and the future, yet to-be created Homeowner's Association with the terms and conditions of this Agreement.
- 4. In the event of any breach of the provisions of this Agreement, the City may elect to bring an action for specific performance, injunctive relief, or damages.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the date set forth below:

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SIGNED AND APPROVED this _____ day of April, 2019

OWNER

Signature of Property Owner

CITY OF MOUNT VERNON

Signature of Development Services Director or Designee

STATE OF WASHINGTON

COUNTY OF SKAGIT

I certify that I know or have satisfactory evidence that H. Lee Johnson is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the <u>restored</u> to be the free and voluntary act and deed of said <u>Montreaux</u>, for the uses and purposes therein mentioned.

Given under my hand and official seal this	day April of 2019.
(SEW) WENT ER J LINO WENT SLOP O'DO ER O'RO RUBLIC PUBLIC OF WASHING	Notary Public Residing at_bou My appointment expires 1001222

SS.

EXHIBIT A LEGAL DESCRIPTION OF PUD PROPERTY

THAT PORTION OF TRACT D OF CITY OF MOUNT VERNON SHORT PLAT NO. MV-20-81, APPROVED OCTOBER 27, 1981 AND RECORDED OCTOBER 28, 1981 IN VOLUME 5 OF SHORT PLATS, PAGE 139, UNDER AUDITOR'S FILE NO. 8110280008, RECORDS OF SKAGIT COUNTY, WASHINGTON, AND THAT PORTION OF TRACT D OF CITY OF MOUNT VERNON SHORT PLAT NO. MV-1-83, APPROVED APRIL 26, 1983, AND RECORDED APRIL 27, 1983, IN VOLUME 6 OF SHORT PLATS, PAGE 58, UNDER AUDITOR'S FILE NO. 8304270013, RECORDS OF SKAGIT COUNTY, WASHINGTON, LYING SOUTHERLY OF THAT CERTAIN TRACT OF LAND CONVEYED TO THE M.R. NILSON CONSTRUCTION, INC., A WASHINGTON CORPORATION, BY DEED DATED APRIL 29, 1985, AND RECORDED MAY 1, 1985, UNDER AUDITOR'S FILE NO. 8505010024, RECORDS OF SKAGIT COUNTY, WASHINGTON, IN VOLUME 600 OF OFFICIAL RECORDS, PAGE 365; AND LYING SOUTHERLY OF THE WESTERLY EXTENSION OF THE SOUTH LINE OF TRACT "A" OF SHORT PLAT NO. MV-1-83; ALL OF SAID PORTIONS BEING IN THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 34 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN;

EXCEPT EAST BROADWAY STREET;

AND EXCEPT SOUTH WAUGH ROAD;

AND ALSO EXCEPT A PORTION OF TRACT D OF SHORT PLAT NO. MV-20-81 AND A PORTION OF TRACT D OF SHORT PLAT NO. MV-1--83, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF LOT 8, TIMBERLINE DIVISION NO. 1, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 14 OF PLATS, PAGE 15, RECORDS OF SKAGIT COUNTY, WASHINGTON;

THENCE SOUTH 89°12'57" EAST, ALONG THE SOUTH LINE OF SAID PLAT AND ALONG THE SOUTH LINE OF THE PLAT OF TIMBERLINE DIVISION 3, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 13 OF PLATS, PAGE 79, AND ALONG THE SOUTH LINE OF TRACT C OF SAID SHORT PLAT NO. MV-1-83, A DISTANCE OF 1,015.29 FEET TO THE SOUTHEAST CORNER OF SAID TRACT C;

THENCE SOUTH 0°22'09" WEST ALONG THE EAST LINE OF TRACT D OF SAID SHORT PLAT NO. MV-1-83 AND SAID EAST LINE EXTENDED, A DISTANCE OF 925. 77 FEET:

THENCE SOUTH 0°54'14" WEST, A DISTANCE OF 30.00 FEET TO A POINT ON A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF NORTH 89°05'46" WEST, AND A RADIUS OF 400. 00 FEET; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 20°24'19" AND AN ARC LENGTH OF 142.46 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 70°29'55" WEST, A DISTANCE OF 145.36 FEET;

THENCE SOUTH 19°30'05" EAST, A DISTANCE OF 30.00 FEET TO A POINT ON A CURVE TO THE RIGHT HAVING AN INITIAL TANGENT BEARING OF SOUTH 70°29'55" WEST AND A RADIUS OF 430.00 FEET; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 16°06'07" AND AN ARC LENGTH OF 120.84 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 86°36'02" WEST, A DISTANCE OF 15.00 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" AND AN ARC LENGTH OF 39.27 FEET;

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THENCE SOUTH 86°36'02" WEST, A DISTANCE OF 60.00 FEET TO A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET AND AN INITIAL TANGENT BEARING OF NORTH 3°23'58" WEST; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" AND AN ARC LENGTH OF 39.27 FEET TO ITS POINT OF TANGENCY;

THENCE SOUTH 86°36'02" WEST, A DISTANCE OF 15.00 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 680.00 FEET;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 6°01'04" AND AN ARC LENGTH OF 71.42 FEET;

THENCE NORTH 2°37'06" EAST, A DISTANCE OF 30. 00 FEET TO A POINT ON A CURVE TO THE RIGHT HAVING A RADIUS OF 650.00 FEET AND AN INITIAL TANGENT BEARING OF NORTH 87°22'54" EAST; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12°20'42" AND AN ARC LENGTH OF 140.05 FEET TO ITS POINT OF TANGENCY;

THENCE NORTH 75°02'12" WEST, A DISTANCE OF 155.91 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 300 FEET;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°38'57" AND AN ARC LENGTH OF 76.70 FEET;

THENCE NORTH 89°41 '09" WEST, A DISTANCE OF 55.00 FEET;

THENCE NORTH 0°18'51" EAST, A DISTANCE OF 1,000.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION;

AND FURTHER EXCEPT THAT PORTION THEREOF PLATTED AS "MONTREAUX PHASE 1", BY PLAT RECORDED AS AUDITOR'S FILE NO. 200707230124.

SITUATED IN SKAGIT COUNTY, WASHINGTON.

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EXHIBIT B

LOCATION OF TRACTS AND EASEMENTS CREATED AS PART OF THE PUD THAT WILL BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION

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NATURAL GROWTH PROTECTION AREA (NGPA) NOTE:

THE HOA IS RESPONSIBLE FOR MONITORING, MAINTENANCE, AND REPLACEMENT (WHEN NECESSARY) OF THE TREES, SHRUBS, GROUNDCOVER, FENCING, AND CRITICAL AREAS SIGNS LOCATED IN THESE TRACTS. THESE AREAS ARE THE SOLE RESPONSIBILITY OF THE HOA AND NOT THE CITY OF MOUNT VERNON. THE NGPA IS CREATED FOR THE PURPOSE OF PRESERVING CRITICAL AREAS, BUFFERING AND PROTECTING PLANTS AND ANIMAL HABITAT, AND PREVENTING HARM TO PROPERTY AND THE ENVIRONMENT INCLUDING, BUT NOT LIMITED TO CONTROLLING SURFACE WATER RUNOFF AND EROSION AND MAINTAINING SLOPE STABILITY. THIS NGPA ESTABLISHES AND CREATES AN OBLIGATION TO MAINTAIN AND PROTECT THE NGPA TRACT(S) AND LEAVE UNDISTURBED ALL TREES AND OTHER VEGETATION WITHIN THIS AREA, EXCEPT FOR THE REMOVAL OF DISEASED OR DYING VEGETATION THAT PRESENTS A HAZARD, OR THE IMPLEMENTATION OF AN ENHANCEMENT PLAN REQUIRED AND/OR APPROVED BY THE CITY. ANY WORK IN THE NGPA, INCLUDING REMOVAL OF DEAD DISEASED OR DYING VEGETATION, SHALL NOT OCCUR UNLESS THE EXPRESS WRITTEN AUTHORIZATION OF THE CITY HAS BEEN RECEIVED. THE COST ASSOCIATED WITH THE EVALUATION, REMOVAL AND REPLANTING OF ANY VEGETATION SHALL NOT BE THE RESPONSIBILITY OF THE CITY; BUT RATHER SHALL BE BORNE BY THE HOMEOWNER'S ASSOCIATION (HOA). THE RIGHTS AND OBLIGATIONS SET FORTH HEREIN FOR THIS NGPA SHALL INSURE TO AND BE BINDING UPON ALL PARTIES, THEIR HEIRS, SUCCESSORS AND ASSIGNS, AND SHALL RUN WITH THE LAND.

THE HOA SHALL HEREAFTER BE RESPONSIBLE FOR PROTECTION, MAINTAINING, AND REPLANTING THE NGPA TRACT(S) AND IS HEREBY REQUIRED TO LEAVE NGPA AREAS UNDISTURBED IN A NATURAL STATE. THE HOA IS ALSO RESPONSIBLE FOR KEEPING SPLIT RAIL FENCING AND CRITICAL AREA SIGNAGE ALONG THE BOUNDARIES OF THE NGPA TRACT. OVER TIME THE HOA WILL NEED TO REPAIR AND/OR REPLACE THE SPLIT RAIL FENCING AND/OR CRITICAL AREA SIGNS, AS NECESSARY. MAINTENANCE INCLUDES ENSURING THAT NO ALTERATIONS OCCUR WITHIN THE TRACT AND THAT ALL VEGETATION REMAINS UNDISTURBED UNLESS THE EXPRESS WRITTEN AUTHORIZATION OF THE CITY OF MOUNT VERNON HAS BEEN RECEIVED. SHOULD ANY DISTURBADCE OF THE NGPA OCCUR, THE HOA SHALL HAVE THE OBLIGATION TO RESTORE AND RETURN THE AFFECTED AREA TO ITS NATURAL STATE IMMEDIATELY, UNDER THE PROVISIONS OF A CITY APPROVED MITIGATION PLAN.

DATE 4/1/2019	MOUNT	VERNON	WASHINGTON	SHEET 1
JOB NO. 17096		MONTREAUX		of 1

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RETAINING WALL EASEMENT NOTE:

THE HOA IS RESPONSIBLE FOR MONITORING, MAINTENANCE, REPAIR, RECONSTRUCTION AND REPLACEMENT (WHEN NECESSARY) OF THE RETAINING WALLS WITHIN THIS PLAT AS SHOWN ON THIS EXHIBIT. THESE RETAINING WALLS ARE THE SOLE RESPONSIBILITY OF THE HOA AND NOT THE CITY OF MOUNT VERNON.

MAINTENANCE OF THE RETAINING WALLS INCLUDES INSURING THAT NO ALTERATIONS OCCUR WITHIN THE EASEMENT AREAS AND THAT ALL VEGETATION REMAINS UNDISTURBED UNLESS THE EXPRESS WRITTEN AUTHORIZATION OF THE CITY OF MOUNT VERNON HAS BEEN RECEIVED. SHOULD ANY DISTURBANCE OF THE RETAINING WALL OCCUR, THE HOA SHALL HAVE THE OBLIGATION TO RESTORE THE WALL AFTER APPLYING FOR AND RECEIVING A BUILDING PERMIT FROM THE CITY TO COMPLETE THE RESTORATION NEEDED.

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 DATE 4/1/2019
 SHEET

 4/1/2019
 MOUNT VERNON
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 JOB NO. 17096
 MONTREAUX PHASE II
 OF

EXHIBIT C LANDSCAPING AND ASSOCIATED AMENITIES WITHIN THE PARKS AND OPEN SPACE AREAS AND PRIVATE ROADS CREATED AS PART OF THE PUD













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	Final PUD plan Exhibit C - Park and Open Space Tracts / Areas Planting Legend	Final PUD plan Exhibit C - Park : Planting I egend		es shall be replac easement through	type of plant materials, e.g. a 2-inch deciduous tree that dies shall be replaced with a 2-inch deciduous tree. Tract 929 has a public trail easement through it that is the responsibility of the HOA to monitor and maintain	t materials h deciduou	type of plan with a 2-inc
	MONTREAUX Phase 2	ONTRE	<u>d</u>	h the same size a	sole responsibility of the HOA, not the City of Mount Vernon. Dead and/or dying trees, shrubs, and groundcover shall be replaced with the same size and	ibility of t shrubs, an	sole respons dying trees,
March 4, 2019	Marc]	ese areas are the	other items located in these tracts and easement areas. These areas are the	located in 1	other items
				nd replacement	The HOA are responsible for monitoring, maintenance, and replacement (when necessary) of the trees, shrubs, groundcover, fencing, irrigation and	re respons	The HOA a
2 GAL	SKIMMIA JAPONICA JAPANESE SKIMMIA	o	26				
2 GAL	VIBURNUM PLICATUM 'TOMENTOSUM'/ DOUBLEFILE VIBURNUM		30	2 GAL	MAHONIA AQUIFOLIUM/ TALL OREGON GRAPE		59
2 GAL	VIBURNUM DAVIDII/ DAVID'S VIBURNUM	θ	62	2 GAL	HYDRANGEA MACRO. 'LANARTH WHITE'/ HYDRANGEA	\bigcirc	29
2 GAL.	VIBURNUM X BODNANTENSE 'DAWN'/ PINK DAWN VIBURNUM		31	2 GAL	HAKONECHLOA MACRA 'AUREOLA'I GOLDEN JAPANESE FOREST GRASS	*	34
2 GAL	VACCINIUM OVATUM/ EVERGREEN HUCKLEBERRY) ©	68	2 GAL	EUONYMUS FORTUNEI 'EMERALD GAIETY'/ EMERALD GAIETY EUONYMUS	0	11
2 GAL	SPIRAEA JAPONICA 'GOLDMOUND'/ GOLDMOUND SPIRAEA) ①	27	2 GAL	ESCALLONIA 'COMPAKTA'/ COMPACT ESCALLONIA	۲	ω
2 GAL	RIBES SANGUINEUM 'KING EDWARD'/ RED FLOWERING CURRANT	Ø	27	2 GAL.	ELAEAGNUS X EBBINGEI 'GILT EDGE'/ GILT EDGE SILVERBERRY	Ē	ω
21-24" HT./ SPREAD	RHODODENDRON 'RAMAPO'/ RAMAPO RHODODENDRON	Ð	22	2 GAL.	CISTUS 'BRILLIANCY' BRILLIANCY ROCKROSE	Ø	9
21-24" HT./ SPREAD	RHODODENDRON PJM/ PJM RHODODENDRON	R	16	2 GAL.	CHOISYA TERNATA/ MEXICAN ORANGE	Þ	19
2 GAL	PIERIS JAPONICA 'VALLEY ROSE'/ VALLEY ROSE PIERIS	0	22	2 GAL.	CEANOTHUS X 'DARK STAR'/ DARK STAR CALIFORNIA LILAC	•⊕	11
2 GAL	PHORMIUM 'RAINBOW WARRIOR'/ RAINBOW WARRIOR NEW ZEALAND FLAX	0	19	2 GAL.	BERBERIS THUNBERGII 'ROSE GLOW' ROSE GLOW JAPANESE BARBERRY	\bigcirc	31
2 GAL	PHILADELPHUS X LEMONII/ MOCK ORANGE	6000 0000 0000	18	15-18" HT./ SPREAD	AZALEA 'HINO-CRIMSON'/ KURUME HINO-CRIMSON AZALEA	۲	92
2 GAL	NANDINA DOMESTICA 'MOYERS RED'I HEAVENLY BAMBOO	Ø	51	2 GAL.	ABELIA X GRANDIFLORA/ GLOSSY ABELIA	0	10
							SHRUBS
				SIZE	DL PLANT NAME	SYMBOL	QUANTITY
					PLANT LIST - shrubs	LIST	PLANT

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dying trees, shu type of plant m with a 2-inch d that is the respo	The HOA are (when necessau other items loc sole responsibi	36	63	31	17	10	47	19	PERENNIALS AND GRASSES	QUANTITY	PLANT L
rubs, and gr naterials, e.g leciduous tr onsibility o	responsible ry) of the tr ated in thes lity of the	Q		0	•	0	•	3	AND GRA	SYMBOL	JST - h
dying trees, shrubs, and groundcover shall be replaced with the same size and type of plant materials, e.g. a 2-inch deciduous tree that dies shall be replaced with a 2-inch deciduous tree. Tract 929 has a public trail easement through it that is the responsibility of the HOA to monitor and maintain.	The HOA are responsible for monitoring, maintenance, and replacement (when necessary) of the trees, shrubs, groundcover, fencing, irrigation and other items located in these tracts and easement areas. These areas are the sole responsibility of the HOA, not the City of Mount Vernon. Dead and/or	TEUCRIUM CHAMAEDRYS/ GERMANDER	PENNIESETUM ALOPECUROIDES 'LITTLE BUNNY/ LITTLE BUNNY DWARF FOUNTAIN GRASS	LAVANDULA ANGUSTIFOLIA 'MUNSTEAD'/ MUNSTEAD'S LAVANDER	HEUCHERA MICRANTHA 'PURPLE PALACE'/ ALUMROOT	HEUCHERA 'FIREFLY'I ALUMROOT	HELICTOTRICHON SEMPERVIRENS/ BLUE OAT GRASS	CAREX BUCHANANII LEATHER LEAF SEDGE	SSES	PLANT NAME	PLANT LIST - herbaceous and groundcovers
same size an Il be replace ent through i	lacement gation and eas are the Dead and/or	1 GAL	1 GAL	1 GAL	1 GAL	1 GAL	1 GAL	1 GAL		SIZE	ers
7		120	598	22	8	685	21	21	GROUNE		
MONTREA Final PUD plan Exhibit C - Park a Planting Legend					Ø		0	0	GROUND COVERS		
MONTREAUX Phase 2 Final PUD plan Exhibit C - Park and Open Space Tracts / Areas Planting Legend	March 4,	HEMEROCALLIS X 'STELLA DE ORO'/ STELLA DE ORO DWARF DAYLILY	GAULTHERIA SHALLON/ SALAL	ERICA DARLEYENSIS 'SILBERSCHMELZE'/ SILBERSCHMELZE HEATHER	ERICA DARLEYENSIS 'ARTHUR JOHNSON'	KENNIKINICK BEARBERRY	CALLUNA VULGARIS 'BLAZEAWAY'I HEATH	CALLUNA VULGARIS 'CORBETT'S RED'/ HEATH			
no scale	1 4, 2019	1 GAL	1 GAL	1 GAL	1 GAL	1 GAL	1 GAL	1 GAL			

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MONTREAUX PHASE II

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EXHIBIT D FORESTED BUFFERS

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Exhibit D - Forested Buffer Tracts Tract 921

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Tract 921

no scale

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EXHIBIT E DESIGN STANDARDS FOR LOTS WITHIN THE PUD

FRONT YARDS & HOME ENTRANCES

INTENT

To provide distinction, transition and separation between buildings and the public pedestrian and vehicular systems where the front yards function as usable outdoor space and provide a clear, welcoming, and safe entry for pedestrians from the public sidewalk and streets to the single-family residences.

- 1. Primary building entries shall be clearly identifiable and visible from the street, with well-defined walkways from public pedestrian, vehicular systems, and driveways to residential entries.
- 2. When the front doorway doesn't face the street a clearly marked walkway shall connect the entry to the sidewalk.
- **3.** Front yards shall include an entrance sequence between the public-way and the residence that includes at least two of the following elements:
 - A. Arbors not connected to the structure.
 - B. Low, continuous hedges lining a walkway.
 - **C.** Accent lighting lining the length of pedestrian walkways.
 - D. Path leading to the front door constructed of decorative pavers, colored or stamped concrete.



Primary building entry clearly identifiable and connected to he sidewalk

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Arbor used as part of entrance sequence



Low, continuous hedge and clearly identifiable entry



Accent lighting in landscape bed lighting pedestrian way



Decorative pavers used for entrance sequence

LANDSCAPING

INTENT

To enhance the appearance of lots, provide shade, reduce noise and glare, increase privacy and protection from visual or physical intrusion, and to break up impervious surfaces.

- **1.** The entire lot, including lawns, shall be landscaped prior to building occupancy. The minimum amount of landscaping required on all lots is outlined in TABLE 2.
 - **A.** Street trees, even when planted behind the sidewalk on a lot, cannot be counted as the deciduous trees required in TABLE 2.
 - **B.** Lawns can be established with seed, hydroseed, or turf; however, they shall be established prior to building occupancy.
- Rear lots shall be landscaped, however decks, patios and other such features may be added in lieu of landscaping.
- **3.** Landscape beds shall have no less than two inches of fine fir bark or other similar material such as decorative rock (other materials shall be individually pre-approved by the Development Services Department).
- 4. Landscaped areas in front and rear yards shall include a wide range of hardy, native, evergreen plant materials including perennials and flowering shrubs where and when available or feasible. A minimum 20 percent of plant material used shall provide seasonal color or interest.

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Landscaped rear yard that includes a patio and a range of evergreen plants with flowering shrubs



Successful example of landscaping at the front entry using a variety of evergreen and deciduous plant material that provides seasonal interest

	Lots 5,000 sf or smaller	Lots 5,001 sf to 7,000 sf	Lots 7,001 sf and greater
2 inch minimum caliper deciduous trees	1 located in front yard	1 planted in front yard	1 planted in front yard and 1 planted in the rear yard
7 feet minimum evergreen tree	N/A	1 planted in front or rear yard	1 planted in front or rear yard
3 feet minimum ornamental tree	1 planted in front yard	1 planted in front or rear yard	1 planted in front or rear yard
2 gallon minimum shrubs (2)	20	30	40
1 gallon minimum ground cover	10	15	20

TABLE 2. Minimum Landscaping Requirements for Different Lot Sizes (1)

(1) Duplex units shall double the number of plants required according to their lot size category in this table.

(2) 30% of the required shrubs can be replaced with ornamental grasses or perennials at a rate of 2, 1-gallon substitutions, per every 1 shrub it replaces. For example, if 20 shrubs were required an applicant could plant 14, 2-gallon shrubs, and a mix of 12, 1-gallon, ornamental grasses and other perennials instead.

DRIVEWAYS AND CURB CUTS

INTENT

To maximize on-street parking with placement of and combining curb cuts. Also to provide maximum lengths of sidewalk without curb cuts such that variations in grades are minimized for the benefit of pedestrians walking on these sidewalks.

- 1. Driveways providing access onto public streets shall be spaced to minimize access points and to maximize the amount of on-street parking available. Site plans demonstrating the placement of homes, curb cuts and driveways shall be submitted demonstrating compliance with this element.
- Driveways shall be spaced such that a minimum of 20 feet is provided along the frontage of each lot outside of curb cuts and driveways.
- **3.** If alley access is available or is provided in the development, vehicle access shall be from the alley with no curb cuts.
- 4. Driveways serving front-loaded three-car garages shall incorporate at least one of the following to break up the expanse of impervious surface. This standard does not apply to homes with garages accessed off of alleys.
 - Landscape strips within the driveway (not abutting it).
 - **B.** Use of decorative pavers for the entire driveway; or edge and create a pattern within the driveway with decorative pavers.
 - **C.** Use of stamped/colored concrete for the entire driveway; or edge and create a pattern within the driveway with stamped/colored concrete.



Use of a landscape strip within a driveway and use of decorative pavers



Use of stamped and colored concrete within a driveway



Example organization of driveways to maximize on street parking and meet design standards

INDIVIDUAL OUTDOOR SPACES

INTENT

To provide private, outdoor space distinct from common space that encourages use and reinforces a sense of ownership by residents.

REQUIRED

- Lots that choose to have front yard setbacks that are less than 15 feet shall be required to create private outdoor spaces in the rear yard. The private outdoor space shall be at least 10 percent of the lot area with minimum dimensions of 15 feet on all sides. For alley loaded lots this space shall abut the alley side of the home.
- All lots shall be required to create private outdoor spaces that are screened with fencing and/or landscaping from undesirable elements such as utility boxes, outdoor storage areas, or other similar items.
- **3.** Private outdoor spaces for all homes shall be created in rear yards with six foot tall decorative fencing installed along rear and side yards except for the following situations:
 - **A.** When a rear yard abuts an alley, fencing within five feet of the alley is limited to four feet in height except where the portion of the fence with up to six feet tall is at least 50 percent transparent.
 - B. See MVMC 17.99.010 for related fence standards.

ALLOWED DEVIATIONS

- In lieu of decorative fencing walls and/or landscape hedges can be installed so long as the following conditions are complied with:
 - **A.** Landscape hedge material shall not count towards the minimum landscaping requirements outlined in TABLE 2 found under Item B, Landscaping.
 - **B.** A landscape architect, or other similarly qualified professional shall provide specifications for landscape hedges to ensure they provide the same privacy a fence would and that they can be maintained within their intended footprint with minimal homeowner maintenance.
 - **C.** Landscape hedges cannot be used in lieu of rear yard fencing when abutting an alley.



Example illustrating private outdoor space on an alley-loaded lot



Poorly designed example that does not meet the minimum outdoor space requirement

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Example of how to meet open space requirements for single family dwellings with reduced front yard setback



For fences within five feet of an alley, that portion of the fence above four feet in height shall be at least 50 percent transparent.



Fence example along alley with landscaping in front



Combination of a wall and arborvitae installed in lieu of fencing

MODULATION OF EXTERIOR WALLS & VISUAL INTEREST

INTENT

To provide visual residential and pedestrian character and variety along the streetscape.

- 1. Buildings shall include modulation along the building facades facing and visible from public rights-of-way and private access driveways and roads. This means that more than one building facade will require modulation on corner and through lots. Flat blank walls are not allowed.
- **2.** Horizontal facades longer than 30 feet shall incorporate vertical modulation with a minimum depth of 18 inches. All of the following additional elements shall also be incorporated:
 - **A.** Distinctive roof forms such as gables, parapets, second roof, dormers, etc. with the minimum vertical dimension of the roofline modulation being two feet.
 - **B.** Distinctive wall forms that include recesses, offsets, installation of bay windows, etc.
 - **C.** Each of the smaller units shall incorporate changes in materials or patterns, and color differentiation.



Facades articulated with distinctive roof forms, covered entry features, and individual structures mixing shed, gable, and curved roofs. Wall recesses and offsets, bay windows, and siding material change along with color changes also create visual interest and articulation



Facade with distinctive roof forms, covered entry, wall recesses /offsets, and siding and material changes



Example with distinctive roof forms mixing gable and shed roofs and installation of bay window



Facade with roof line variety modulated entry, a bay window and material changes



Facade incorporating roof line changes, shed roof over window, and inset deck



Example using gable and shed roofs, shake on two gables, stone on entire front unit, and siding on garage

WINDOWS

INTENT

To enhance the residential character and varied streetscape and building elevations.

REQUIRED

- Windows shall be provided on building facades facing public or private streets (excluding alleys) and are required to comprise no less than 15 percent of the building facade area (1).
- Windows are required to have visually prominent trim that is a minimum of three-inches in width on all windows.
- **3.** Windows are required to be an integral part of a siding system and must compliment elevation patterns or that unify and enhance the building elevations.
- At least two of the following accent elements shall be included on windows facing street(s) that are not alleys.
 - A. Sun shading devices
 - **B.** Shutters
 - C. Planter boxes

- D. Trellis
- E. Significant accent trim in addition to the three inch trim that is already required
- F. Distinctive window shapes such as arched or multi-paned windows that contribute to the overall composition of the structure.
- G. Projecting window bays
- H. Dormer windows

ALLOWED DEVIATIONS

5. Windows recessed by two inches or more are not required to install trim around the windows.



Single family home with arbors over windows, distinctive windows shape, and three inch trim

(1) Buildings on corner and through lots will be required to have windows comprising no less than 15% on each of the building facades facing public or private streets.



Multi-paned windows that are recessed two-inches that unify and enhance the elevation





Distinctive window shape, three inch trim, and planter box



Fifteen percent transparency calculation diagram

GARAGE FACADES

INTENT

To ensure that garage doors do not dominate the street-facing building facades or overshadow pedestrian entryways.

REQUIRED

- **1.** All of the following elements are required to be installed on/near the face of the garage:
 - **A.** Windows shall be installed on the garage door.
 - **B.** Lighting shall be provided to illuminate the entire garage face.
 - **C.** Garage door face shall be decorative; a flat, blank door is not allowed.
 - **D.** Install trim that is a minimum of three inches around garage doors.
- Garage facades shall incorporate at least two of the following design features (note that some design elements count as two design features):
 - A. Cantilever main structure over garage face (counts as two design features).
 - B. Extend roof line with decorative supports in front of garage face (counts as two design features).
 - **C.** Split two car garage into two single car garages (counts as two design features).
 - D. Arching garage doorway(s) (counts as two design features).
 - E. Install cladding such as cultured stone, brick, board and batten or other decorative material (approved by the Development Services Department) on the face, or part of the face, of the garage that is different than other parts of the structure. All cladding materials must not be installed such that it reinforces an applied or arbitrary planar nature. Cladding materials are required to occupy sufficient area to read as an integral part of the elevation.
 - F. Install corbels, outriggers, or knee braces (or other substantially similar structural enhancements) suggestive of a structural role at the peak and eave end of rake edges.
 - **G.** Install an trellis above the garage door.
 - H. Install decorative vents on all facade gables.

ALLOWED DEVIATIONS

4. Garages accessed by an alley (as defined in MVMC 16.16.250) that is not more than 20 feet in width are required to incorporate lighting to illuminate the entire garage face and three-inch minimum trim around garage doors in addition to at least one of the design features listed in Standard G.2.A-H above.







Example with windows in the door, trim around the door, stone columns, and a canopy installed over garage door



Example of a generic, non-decorative gable vent that would not counts as a decorative gable vent



Garage with shed roof over door with corbels, lighting in soffit, and decorative door face



Garage without any of the listed design features



Examples showing allowed decorative gable vents

STREETSCAPE MODULATION AND CHARACTER

INTENT

To provide modulation and character along streetscapes with varying roof types, building character, and placement of structures.

- 1. Abutting lots shall have front yard setbacks resulting in building facades being that are at least four feet apart.
- **2.** Front yard porches shall not line up with the porches of abutting structures.
- **3.** Along street frontages roof types cannot repeat unless separated by three different types of roofs. Roof types shall be determined by the predominate axis and pitch of the roof form together with intersecting secondary roof rooms.
- Along street frontages building elevations and colors (including garage doors) cannot repeat unless separated by three substantially different types of building elevations.
- Dominant facade modulation or fenestration shall not repeat unless separated by three different building types.



Homes with a variety of setbacks, facade designs, building colors, and roof forms

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Homes with no setback variation are not allowed



Example showing no setback variation repetitive designs



Example illustrating homes with a variety of front setbacks